

ORDINANCE NO. 06-18

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,  
AMENDING CHAPTER 74 OF THE CODE OF ORDINANCES  
ENTITLED "UTILITIES" BY AMENDING SECTION 74-  
246 TO ADJUST THE SEWER SERVICE PROPORTIONAL  
USER CHARGE AND THE MONTHLY BASE CHARGE UNIT  
(BCU); PROVIDING FOR SEVERABILITY; PROVIDING  
FOR REPEAL OF INCONSISTENT PROVISIONS;  
PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission finds that sewer rate adjustments would promote the health, safety and welfare of the citizens of Key West.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That Section 74-246 of the Code of Ordinances is hereby amended as follows\*:

**74-246. Annual sewer rates, charges and components.**

(a) The base charge component (BCU) of the sewer service user charge is determined to be ~~\$19.57~~ \$21.63. The BCU may be adjusted automatically each October 1, by Resolution of the city

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\*(Coding: Added language is underlined; deleted language is ~~struck~~ through.)

commission by up to 100 percent of the percentage increase in the CPI-(U), U.S. City Averages (as of June). The city commission shall enact an ordinance amendment to this section in order to increase the BCU in excess of the CPI. ~~There shall be an annual cap of five percent (5%) on any CPI increase. A CPI increase shall be approved by the city commission by Resolution.~~

(b) The proportional use charge component of the sewer service user charge is determined to be ~~\$3.97~~ \$4.28 per 1,000 gallons per month of actual or estimated sewage flow per user. The proportional use charge may be adjusted each October 1, by Resolution of the city commission by up to 100 percent of the percentage increase in the CPI-(U), U.S. City Averages (as of June). The city commission shall enact an ordinance amendment to this section in order to increase the proportional use charge in excess of the CPI.

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Section 2. If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3. All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 4. This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 19 day of September, 2006.

Read and passed on final reading at a regular meeting held this 3 day of October, 2006.

Authenticated by the presiding officer and Clerk of the Commission on 4 day of October, 2006.

Filed with the Clerk October 5, 2006.

  
HARRY BETHEL, VICE MAYOR

ATTEST:

  
CHERYL SMITH, CITY CLERK